

Paper No. 885
Disposes of an
Oral Application

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al

- vs -

ARAKI, Sadao; et al

COMMISSION TO TAKE THE DEPOSITION
OF ISHIHARA, Kanji

The defense having offered in evidence the affidavit of ISHIHARA, Kanji, together with a verified certificate executed by HASUMI, Kiichiro, attending physician, certifying that said ISHIHARA is suffering from a serious disease and unable to attend this trial and give his testimony in person and, the prosecution objecting to the giving in evidence of the testimony of the said ISHIHARA without opportunity to cross examine him at the time, it also appearing that the said ISHIHARA is now at the town of Fukuura situated more than 300 miles north of Tokyo, it is, therefore, duly considered by this Tribunal that the evidence of the said ISHIHARA should be taken by deposition before one of the members of this Tribunal as commissioner.

It is ordered that the deposition of the witness ISHIHARA, Kanji, be taken before the Honorable Mr. Justice Northcroft, a member of this Tribunal, as commissioner so to do, at the town of Fukuura, Japan, on the 30th day of April, 1947, at the hour of 9 o'clock a.m. or as soon there-

after as the said commission may determine, and from day to day and hour to hour thereafter until completed, and the Honorable Mr. Justice Northcroft is hereby designated and appointed as commissioner before whom said deposition shall be taken;

that a sufficient number of court reporters of this Tribunal, with the assistance of interpreters of this Tribunal, shall record the testimony given, and that said deposition when taken, transcribed and translated, shall be filed with the Secretariat of this Tribunal.

Further that the Secretariat of this Tribunal is directed to make the necessary arrangement for transportation and subsistence of the members of the party journeying to the place mentioned to take deposition, which party shall include, in addition to those mentioned above, counsel for the prosecution and the defense, and whatever additional personnel the Secretary may find necessary in the administration of the journey.

Dated this 25th day of April 1947 at Tokyo, Japan.

/s/ W.F. WEBB
PRESIDENT